

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-441-T - ORDER NO. 2010-236

APRIL 6, 2010

IN RE: Application of Blue Chip Moving Company,)	ORDER GRANTING
LLC for a Class E (Household Goods))	CERTIFICATE
Certificate of Public Convenience and)	
Necessity for Operation of Motor Vehicle)	
Carrier)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Application of Blue Chip Moving Company, LLC (“Blue Chip” or “Applicant”) for a Class E (Household Goods) Certificate of Public Convenience and Necessity. Blue Chip is seeking authority to move household goods in Richland, Lexington and Fairfield Counties. Pursuant to 26 S.C. Code Regs. 103-821(C)(3)(a), the Applicant published notice of filing in *The State* on November 6, 2009. No parties intervened, and a hearing on the Application was held on March 4, 2010, in the offices of the Commission.

Blue Chip was represented by Scott Elliott, Esquire, and the Office of Regulatory Staff (“ORS”) was represented by Jeffrey M. Nelson, Esquire. George Parker, manager of the ORS Transportation Department, testified for the ORS.

During the hearing, Blue Chip’s president, Albert Ager, presented the Commission with his business plan, developed while he was in college at the University of South Carolina. Ager testified that Blue Chip would employ two site managers who had several years of experience working for another certificated household goods moving

company in the Midlands area of South Carolina. He further testified that he was aware of and intended to comply with the Commission's regulations concerning household goods movers. He stated that there is a need for movers in the area in which he seeks certification. He further presented the testimony of two witnesses, Ms. Alisha Carter and Ms. Vickie Williams, who testified as to his good character and industriousness.

For ORS, Parker testified that he found Weaver's application to be in order. Because Blue Chip planned to lease its vehicle to be used in providing moving services, Parker had not yet inspected the equipment, however.

During the hearing, testimony revealed that Blue Chip had been cited for offering its services without proper certification, but that it had not been aware of the Commission's requirements and had not intentionally acted unlawfully. Mr. Parker testified that the Applicant had been cooperative once informed of the requirements of the Commission, and that there had been no subsequent violative conduct by the applicant. Testimony further revealed one consumer complaint against the Applicant in connection with disputed damage to a television set. The Applicant testified that the television set had been delivered undamaged, and that the damage must have occurred after delivery, and not caused by the Applicant's service. Nevertheless, the Applicant paid for the damaged television rather than litigate the dispute, and the complainant released the Applicant from any further allegations of liability.

The Commission finds the Application to be in order. Additionally, we conclude that the Applicant has demonstrated that he is fit, willing, and able to operate as a household goods mover pursuant to S.C. Code Ann. § 58-23-330 (Supp. 2009) and 26

S.C. Code Ann. Regs. 103-133 (Supp. 2009). We are satisfied that the citation and complaint about which we heard testimony are not indicative of any unfitness on the part of the Applicant. Furthermore, we find that the public convenience and necessity is not already being adequately served by existing authorized service. Therefore, the Application of Blue Chip Moving Company, LLC should be granted.

IT IS THEREFORE ORDERED:

1. The Application of Blue Chip Moving Company, LLC for a Class E Certificate of Public Convenience and Necessity is approved for the Applicant to transport household goods in Richland, Lexington and Fairfield Counties.

2. Blue Chip Moving Company, LLC shall file with the Office of Regulatory Staff the proper insurance, safety rating, and other information required by S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 of the Commission's Rules and Regulations for Motor Carriers, as amended, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

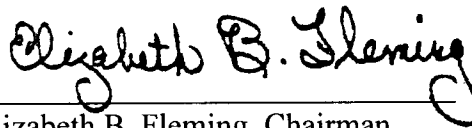
3. Upon compliance with S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Regs. Vol. 26 (1976), as amended, a Certificate shall be issued by the Office of Regulatory Staff authorizing the motor carrier services granted herein.

4. Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized by this Order shall not be provided.


5. Failure of the Applicant to either (1) complete the certification process by complying with the Office of Regulatory Staff requirements of causing to be filed with the Commission proof of appropriate insurance and an acceptable safety rating within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in the Order being revoked.

6. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)